

REMARKS

I. GENERAL

Claims 1, 3-19, 21-65, 67-102 are pending in this application. Claims 1, 4, 5, 6, 12, 19, 26, 34, 48, 50, 51, 63, 78, 84, 90, and 96 have been amended herein. Claims 1, 19, 34, 48, 63, 78, 84, 90, and 96 are the independent claims. Claims 1, 3-19, 21-65, 67-102 stand rejected. Applicant respectfully traverses the outstanding claim rejections and requests reconsideration and withdrawal in light of the amendments and remarks presented herein.

II. INTERVIEW SUMMARY

Examiner Paul P. Tran and Eugene Joswick, counsel for assignee, conducted a telephone interview on July 14, 2009. U.S. Patent No. 6,725,022 B1 (Clayton) and various potential claim amendments were discussed relating to channel data being updated over time. No agreement was reached.

III. AMENDMENTS

Claim 1 has been amended to recite that the data feeds comprise channel data that is updated over time such that updated channel data is provided over time for storage in a feed store on each one of said plurality of mobile units for each one of a plurality of channels subscribed to and that channel application presentation on each mobile device uses the updated channel data from the feed store to display one of said plurality of channels subscribed to. Support for the amendments can be found in the specification at least in the statements and examples describe at paragraphs 25 and 51. No new matter has been added.

Independent claims 19, 34, 48, 63, 78, 84, 90, and 96 are amended to recite limitations that are similar but not exactly the same as the amended recitals of claim 1, as shown in the listing of the claims presented above. Support for the amendments to claims 19, 34, 48, 63, 78, 84, 90, and 96 can be found in the specification at least in the statements and examples describe at paragraphs 25 and 51. No new matter has been added.

Claims 4, 12, and 26 have been amended to clarify that the various claim features are on said plurality of mobile units. No new matter has been added.

Claims 5, 6, 50, and 51 have been amended to be consistent with amendments to other claims. No new matter has been added.

IV. SPECIFICATION

The Office Action objects to the specification regarding insertion of the correct application number in paragraph 1. The specification has been amended to insert the correct application number and withdrawal of this objection is respectfully requested.

V. REJECTIONS UNDER 35 U.S.C. § 112

The Office Action rejects claims 4, 12, and 26 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which application regards as the invention. Claims 4, 12, and 26 have been amended to clarify that the user interface application (claim 4) user interface (claim 26) and push engine (claim 12) are each on said plurality of mobile units rather than the subscription server. Withdrawal of these claim rejections is respectfully requested.

VI. REJECTIONS UNDER 35 U.S.C. § 102

The Office Action rejects claims 1, 3-19, 21-65, 67-102 under 35 U.S.C. § 102(e) as being anticipated by Clayton et al. (U.S. Pat. 6,725,022 B1, hereinafter "*Clayton*"). Applicant respectfully traverses these outstanding claim rejections and requests reconsideration and withdrawal in light of the amendments and remarks presented herein.

Claim 1, as amended, recites the data feeds comprising channel data that is updated over time such that updated channel data is provided over time for storage in a feed store on each one of said plurality of mobile units for each one of a plurality of channels subscribed to and that channel application presentation on each mobile device uses the updated channel data from the feed store to display one of said plurality of channels subscribed to.

Clayton describes a multimedia system that offers audio broadcasts and various information, navigation, and other software services in vehicle. A user operates an application by tuning to a channel of one of two types: audio broadcasts (e.g., AM, FM, TV, digital, Internet audio broadcasts and recorded material) and personal information services (e.g., navigation, email, traffic alerts, etc.) (*Clayton*, col. 6, lines 1-6.) These channels are not displayed on mobile units based on updated channel content that was previously received and stored on each mobile unit. Moreover, these channels are not subscribed to – such that updated content is provided for storage on a mobile unit based if the channel is subscribed to.

Clayton describes audio broadcast channels that are provided and received like traditional radio stations for immediate use. (See e.g., *Clayton* col. 7, lines 55-62 (currently broadcast program fades out as vehicle changes location)). While *Clayton* describes receiving or downloading individual compressed audio files, radio shows, and other digital materials for later playback (*Clayton*, col. 7, lines 24-40; col. 8, lines 64-67), these files are not the content of a subscribed to channel that is updated and provided for storage on a mobile unit based on whether the channel is subscribed to. Accordingly, these aspects of *Clayton* fail to disclose or teach the claimed channel features.

Clayton also describes personal information services type channels (e.g., navigation, email, traffic alerts, etc.) stating that new personal information services (e.g., email, stock quotes, interactive audio games, etc.) can be added to a multimedia device by downloading applications. (*Clayton*, col. 6, lines 1-6; col. 7, lines 4-12; col. 12, lines 1-7.) “Such services are called personal information or data channels in keeping with the radio nomenclature as their applications can be used simply by selecting them as you would an audio channel in the main menu or with a preset button.” (*Clayton*, col. 7, lines 8-12). With respect to navigation, *Clayton* teaches providing navigation services from the Internet gateway so maps can remain accurate as they can be centrally updated (*Clayton*, col. 8, lines 7-10; col. 11, line 57-67.) *Clayton* teaches providing navigation information requested from a gateway 30 server and does not teach or suggest that updated navigation information is provided as updates to a channel for storage on the multimedia device. (*Clayton*, col. 47-50; col. 11, line 57-67.) More generally, *Clayton* does

not teach or suggest that the personal information services type channels are provided as content of a subscribed to channel that is updated and provided for storage on a mobile unit based on whether the channel is subscribed to. Accordingly, these aspects of *Clayton* fail to disclose or teach the claimed channel features.

Clayton also describes providing other information to multimedia devices. For example, *Clayton* describes providing and “pushing” advertisement information to the multimedia devices. (*Clayton*, col. 11, lines 21-49). *Clayton* discloses transmitting events based on a user profile, stating that “such events could be, for example, stock market alerts (i.e., set an alert when a stock reaches a set value), traffic alerts based upon the user’s route (notifies of any delays as they happen in real time on the route), email messages, or the like.” (*Clayton*, col. 12, lines 8-14.) However, neither such advertising nor such event information is updated channel content that is updated over time and provided for storage on a mobile unit based on whether the channel is subscribed to. Accordingly, these aspects of *Clayton* fail to disclose or teach the claimed channel features.

For at least the above reasons, *Clayton* fails to disclose the claimed data feeds comprising channel data that is updated over time such that updated channel data is provided over time for storage in a feed store on each one of said plurality of mobile units for each one of a plurality of channels subscribed to and that channel application presentation on each mobile device uses the updated channel data from the feed store to display one of said plurality of channels subscribed to. Because *Clayton* fails to teach or suggest the recited subject matter of amended claim 1, claim 1 is believed patentable and withdrawal of the rejection is respectfully requested.

Independent claims 19, 34, 48, 63, 78, 84, 90, and 96 are amended to require limitations similar to, although not the same as, the amended features of claim 1 relating to storing updated content on the mobile device or unit and using that updated content to provide or display channel content on the device or unit. Accordingly, each of claims 19, 34, 48, 63, 78, 84, 90, and 96 are allowable for one or more of the reasons described above with respect to claim 1.

Each of dependent claims 3-18, 21-33, 35-47, 49-62, 64-65, 67-77, 79-83, 85-89, 91-95, and 97-102 ultimately depend from one of allowable independent claims 1, 19, 34, 48, 63, 78,

84, 90, and 96. Accordingly, for at least the reasons discussed above, these dependent claims are likewise believed allowable over the cited references and withdrawal of their rejection is respectfully requested.

The independent claims and dependent claims recite additional features that further define the claimed invention over the cited references. Applicant has not addressed the specific rejections of the dependent claims given their believed allowability by virtue of their dependence from an allowable independent claim. However, not addressing the substance of each such rejection should not be taken as acquiescence in any such rejections. Rather, Applicant reserves the right to address the patentability of any additional claim feature in the future.

VII. Conclusion

In view of the above, the pending application is believed to be in condition for allowance.

Respectfully submitted,

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